

Remarks

Claims 1-4 and 7-11 are currently pending.

Double Patenting Rejection

Claims 1-4 remain rejected on the ground of nonstatutory obviousness type double patenting over claims 1-2, 4-5, 7 and 8 of U.S. Patent No. 7,359,425 to Wada in view of U.S. Patent No. 5,533,010 to Tanaka and U.S. Patent No. 5,617,143 to Shimokoriyama, because the terminal disclaimer filed on July 8, 2009 failed to accompany an appropriate fee.

Applicants agree that due to a clerical error, the terminal disclaimer fee has not been paid.

Accordingly, instant response is accompanied by another terminal disclaimer with the appropriate fee, such that Wada and the present application will be co-terminated. Thus, Applicant respectfully requests withdrawal of the remaining rejection. That is, there being no other outstanding rejection, allowance of the instant application is respectfully requested.

Unless notified otherwise, Applicants will assume that the Office action Summary sheet contains a typo in which the claims 7-11 are maintained as rejected; as the Detailed Action section appears to indicate that the nonstatutory obviousness type double patenting is the only remaining issue. Should matters related to claim 7-11 need be addressed for any reason, Applicants respectfully incorporate its Amendment dated July 8, 2009, with arguments contained therein, herein by reference for all purposes.

Conclusion

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned so that such issues may be resolved as expeditiously as possible.

January 22, 2010
Date

Respectfully Submitted,
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